

their work; or disburses wage payments to these persons is also considered a farm labor contractor. (See Labor Code § 1682)

California licensed farm labor contractors must register annually with the agricultural commissioner of the county of the grower client. Labor contractors must also carry their license and proof of registration with them at all times when acting in the capacity of a labor contractor [see Labor Code § 1695(a)(1)]. Document the FLC's license number in the blank. If the licensed contractor is not registered, check "NO". If the contractor is unlicensed, check "N/A" and address in the "Remarks" section. Unlicensed FLCs should be reported to the Labor Board or your EBL.

Exemptions:

- Packers/shippers who purchase the crop and then harvest it. (guidance)
- Commercial packinghouses engaged in the harvesting and the packing of citrus or soft fruit. (Labor Code § 1682.4)
- Custom harvesters. (DIR guidance)

2. Notice of Application within ¼ Mile 3CCR § 6618(a)

Scope: For all pesticides.

- Any person performing pest control must assure that the operator of the property receives notice of the scheduled application. The notice must be made prior to the use of a pesticide and in ample time for all subsequent notices to be made and for the persons notified to take appropriate action. A notice of completion is also required for applications made for the production of an agricultural commodity. (3CCR § 6619)
- The operator of the property and any PCB, farm labor contractor or other contractor hired by the operator of the property that have employees who are likely to enter a field during an application or while the REI is in effect must notify those employees. Handler and fieldworker employees who may walk within ¼ mile of a field that will receive an application or during a REI are deemed in regulation as likely to enter.
- The operator of the property must provide notice to any person for which they have prior knowledge may enter a treated area during an application or while the REI is in effect.

During your interviews with the crew supervisor and workers, ask how they are notified about fields near where they are working where pesticide applications will be taking place or REIs are in effect. Who provides the notification? Are they aware of any of the fields within a ¼ mile of where they are working that are under a REI? Were they notified not to enter any fields under an REI? Have they been trained about the concept of restricted entry intervals?

Check this requirement "YES" or "NO" based on the responses received from the supervisor and fieldworkers. Check "N/A" only if the workers inspected will not walk within a ¼ mile of any application or field under an REI that belongs to the property operator of the field in which they are working.

Exemptions:

- Persons who applied or supervised the application.
- The notice is not required when a field is posted as specified in 3CCR § 6776 (b-f), unless the pesticide product labeling requires double notification. Posting of the federal (stern face and hand format) sign does not meet this requirement. **(This exemption applies only to employee notification, not to the notice from the applicator to the operator of the property).**
- Public agencies in compliance with FAC § 12978 (check “YES” if in compliance).
- Public agencies or their contractors operating under a cooperative agreement with the Department of Health Services pursuant to section 116180 of the Health and Safety Code. (3CCR § 6620)
- Structural PCB exemption not applicable to this inspection.